

518. P. 5.  
6  
T H E  
C H A R G E

O F  
Sir John Gonson, Kt.

T O T H E  
Grand Jury

O F T H E  
CITY and LIBERTY of  
*Westminster, &c.*

At the General Quarter-Sessions of the Peace,  
Held the Twentyfourth Day of *April* 1728  
in *WESTMINSTER-HALL.*

---

*Printed at the Desire of the Justices of the  
Peace for the said City and Liberty; and  
of the Grand Jury.*

---

T H E S E C O N D E D I T I O N .

L O N D O N :

Printed and Sold by JOSEPH DOWNING, in  
*Bartholomew-Close near West-Smithfield, 1728.*

*Civitas, Burgus, } ff. Ad Generalem Quarterialem  
 & Villa Westm. } Sessionem Pacis Domini Regis tent'  
 in Com. Middx. } apud Westm. pro Libertat' Decani  
 & Capituli Ecclesiæ Collegiat. beati  
 Petri Westm. Civit. Burgi. & Villæ  
 Westm. in Comitatu Middlesexiæ, &  
 sancti Martini le Grand, London'  
 Die Mercur. scilicet vicesimo quar-  
 to Die Aprilis, Anno Regni Do-  
 mini Georgii Secundi, Dei Gratiâ,  
 nunc Regis Magnæ Britanniæ, &c.  
 primo.*

**H**IS Majesty's Justices of the Peace for this  
 City and Liberty of *Westminster*, now as-  
 sembled at this General Quarter Session of the Peace  
 held for the said City and Liberty, being of the Opi-  
 nion, that the Charge this Day given by Sir *John*  
*Gonson* the Chairman, (in the Absence of the Right  
 Honourable *John* Lord *Delawar*, the present Chair-  
 man of this Session) to the Grand Jury, sworn to  
 enquire for our Sovereign Lord the King, for the  
 Body of this City and Liberty; and to the High  
 and Petty Constables of the same, is a very Loyal,  
 Learned, Ingenious, Excellent, and Useful Charge,  
 highly tending to the Service of His Majesty, and  
 his Administration and Government: Have una-  
 nimously agreed and resolved, That the Thanks of  
 this Court be, and the same are hereby given, to  
 the said Sir *John* *Gonson*, for his said Charge; And  
 desire that he will be pleased to cause the same to be  
 Printed and Published, for the better Information of  
 the Inhabitants, and publick Officers of this City  
 and Liberty, in the Performance of their respective  
 Duties.

*per Curiam*

M I D D L E T O N.



To the Worshipful

Sir *John Gonson*, Kt.

Chairman of the Quarter-  
Sessions, &c. held for the  
City and Liberty of *West-*  
*minster*, the 24<sup>th</sup> of *April*,  
1728.

**W**E the Grand Jury, sworn to  
enquire for the Body of the  
City and Liberty of *Westminster*, having  
received a most Learned and Excellent  
Charge from the Chair given by your  
Worship, do hereby return you our  
most sincere and humble Thanks for  
the same; And pray you will be pleased,  
for the publick Good, to cause the same  
to be Printed.

*William Atkinson.*  
*John Jones.*

*John*



John Ismonger.  
E. Salisbury.  
William House.  
Gray Sambach.  
John Henshaw.  
Stephen Saugé.  
John Clayton.  
Thomas Turnor.  
John Ferguson.  
Richard Mitchell.  
Philip Gardiner.  
Jonathan Healey.  
William Taylor.  
Hem. Lockton.  
John Leech.  
Th. Cleaver.  
John Andrews.  
Jos. Morris.  
Nathanael Lee.







T H E  
C H A R G E

O F

*Sir John Gonson, Kt.*

*Gentlemen of the Grand-Jury;*



CIVIL Government was instituted for the Preservation and Advancement of Men's Civil Interests, for the better Security of their Lives, Liberties, and Properties.

Men soon became sensible of the Necessity of Civil Government for  
B these

these Ends, from the Inconveniencies they suffer'd by a private Life, independent on each other : For in such a State, unless every Man would keep strictly to the Rules of Justice and Equity, which the Pravity of humane Nature and long Experience forbid us ever to hope for, the Weak would become a Prey to the Strong ; every one would be at the Mercy of him that was mightier than himself, and the World would be full of Fraud and Injustice, Cruelty and Oppression.

No sooner did Mankind begin to multiply, and to contract new Relations and new Duties, but their Interests interfered with one another, and gave rise to those Wrongs and Injuries, which daily encreas'd in the World, and quickly moved Men to enter into Societies, and form themselves into regular Governments, for the mutual Security and Defence of their Persons and Properties, both against Violence from Abroad, and Rapine and Fraud at Home.

For

[ 3 ]

For these Ends and Purposes Societies were at first erected, and grounded upon the mutual Compact and Agreement of those who entered into them, to stand by, and assist each other, both against Foreign Violence, and Domestick Wrongs. To repel the first of these, there must be external Force and Strength, which consist in Arms, Riches, and Multitude of Hands; the Remedy of the other lies in wise and wholesome Laws, agreed upon by the Society; and the Care of both is, by common Consent, committed to the Civil Magistrate, who is moreover arm'd with the Force and Strength of all his Subjects, in order to put those Laws in Execution.

From this brief Account of the Nature and Design of Civil Government, it is obvious, That if ever the true Ends of Government are answered, it is under our most happy Constitution, which is a Mixt Limited Monarchy, where the Prerogatives of the Crown, and the Liberties of the People, are so



interwoven, that the Rights reserved to the People tend to render the King honourable and great, and the Prerogatives of the Crown are in order to the Protection and Safety of the People. Every Subject of GREAT BRITAIN has a fix'd fundamental Right born with him, as to the Freedom of his Person, and Property in his Estate, which he can't be deprived of, but either by his own Consent, or for some Crime for which the Law has imposed such a Penalty or Forfeiture. Our Liberties and Privileges are so great, that the Subjects in other Nations would think themselves Princes, if they might enjoy them; and are such, as the greatest Princes in Foreign Parts, who are not absolute and independent Sovereigns, can scarcely pretend to be Possessors of. In a Word, We enjoy Privileges unknown to the antient *Greeks* or *Romans*, and are the Noblest, I may say almost, the only Remains of the *Antient Northern Liberty*.

And

And next to that of having a Share in the Legislature, it is one of the most valuable Parts of our Constitution, that no Man can be convicted, or attainted of any Crime, before two Juries pass upon him, of at least 24 Persons; The one a Grand Jury, to present the Offence for Tryal; and the other a Petit Jury, to try the Truth of that Presentment. The Grand Jury coming from all Parts of the County, City, or Liberty, for which they serve, and the other, *viz.* the Petit Jury, of the very Neighbourhood where the Offence was committed; who, according to the Evidence given them, determine thereupon, and bring in their Verdict. And that the Evidence may be the clearer, and the better to be depended upon, written Depositions are not admitted, but upon mere Necessity: The Witnesses being to appear personally, and to be examined *Vivâ Voce*; a Method of coming at the Truth peculiar to this Nation, no other

other having, or practising the like. For look abroad into Foreign Countries, almost where you will, you'll find the Subjects under such Laws, as render their Lives, Liberties, and Estates precarious, and liable to be dispos'd of at the Discretion of Strangers appointed to be their Judges, generally mercenary, and Creatures of the Prerogative; sometimes Malicious and Oppressive, and too often Partial and Corrupt; or suppose them ever so Just and Upright, yet still has the Subject no Security against Subornations, and the Attacks of false and malicious Witnesses: And often, when there is no sufficient Evidence, upon Suspicion only, they are obnoxious to the Tortures of the Rack, which may make an innocent Man confess himself guilty, merely to get out of present Pain; and then with seeming Justice he is executed. Or if he doth with invincible Courage endure the Question (as they call those Torments) yet he comes off with dis-



disjointed Bones, and such Weakness, as renders his Life a Burthen to him ever after.

Deservedly therefore is this Tryal by Juries a part of the Great Charter, and ever rank'd amongst the choicest of our Fundamental Laws, which who-soever shall go about to suppress, or craftily undermine, by overawing or corrupting Juries, and thereby rendering them only a Formality, breaks asunder the Fences of our Government, and is an Enemy to his King and Country ; for which Reason, our Parliaments have always been most zealous for preserving this Great Jewel of Liberty ; no one Privilege besides having been so often remembred there. One Instance thereof (amongst many others) was the Case of the Lord Chief Justice *Keyling*, who usurping an Arbitrary Power over a Grand-Jury of *Somersetshire*, by commanding them to find a Bill of Indictment, Murder, for which they saw no Evidence ; and upon their Refusal, he threatned and fined them :

them : But upon the Complaint of Sir *Hugh Windham*, their Foreman, to the Parliament, (tho' a Parliament in the Reign of King CHARLES the Second, and much attached to the Court) yet even they could not bear such a bold Invasion of ENGLISH Liberty ; The Commons brought that Chief Justice to their Bar, and there made him acknowledge his Fault.

*Journals of  
the House of  
Commons,  
11. & 13.  
of Decemb.  
1667.*

When the one and the other Jury act as they ought, with Courage, Diligence, and Impartiality, we shall have just Reason, with the wise Lord Chancellor *Fortescue*, to celebrate that Law that instituted them ; to congratulate with our Countrymen the Happiness we enjoy, since the meanest amongst us is protected by the Laws of his Country in as secure a manner as the greatest.

*Fort. de  
Laud. Leg.  
Ang. Cap.  
26.*

And what compleats our Happiness is, that we may now take the most delightful View of our Excellent Constitution

stitution and Laws ; not as in former Reigns , struggling with Arbitrary Power and Tyranny , but as most safe and secure, under the best of Princes, his *Sacred Majesty*, our most Gracious Sovereign ; whose Nature, Inclination, and Religion, all conspire to make him truly the Father of his People, delighting in their Happiness as in his own, and who makes the Laws of the Land the Rule of his Government. With such a King we are blest in a Queen, the Delight of the Nation, and the Glory of her Sex ; whose known Piety is made still more exemplary by being joined with a fine Understanding, cultivated by the Study of the *Belles Lettres*, and improved with all useful Knowledge : We have also a numerous Royal Issue, to be form'd for the Support of our Religion and Liberties by these bright Examples ; so that all the inestimable Blessings we enjoy under his Majesty's Reign, are likely to be entail'd down to future Ages, under a lasting Succession of



Protestant Princes. And may there never want one of this Royal Progeny to Rule over these Nations till Time shall be no more.

GENTLEMEN,

It is for the Preservation and Support of this our excellent Government, by the due Execution of the Laws, that we are now met together: And though the Court doth not doubt of your Ability to perform your Duty as *Grand Jury Men*; yet being sworn (amongst other Things) to enquire of such Matters, as shall be given you in Charge, it has always been the Custom, and therefore now proper to inform you, what Crimes and Offences you ought to enquire of, which otherwise perhaps might not occur to your Memory.

In the first Place, I shall recommend to your Enquiry all such Offences, that concern Almighty GOD, and his  
Holy

( II )

Holy Religion established amongst us.

It is for the Honour and Interest of every Government, that all Vice, Immorality and Profaneness should be suppress'd, because they are prejudicial to it; and the contrary Virtues tend to the Good and Welfare of Society. All manner of Wickedness, even in those Instances, where it doth not directly injure any private Person, nor disturb the publick Peace, has an ill Influence upon Society, tends to make Men bad Subjects, and worse Neighbours, and indisposes them for the due Discharge of the Relative Duties of Life. And it has been observed, that a Contempt of God, and a Neglect of Religious Duties, is generally the Inlet to, and Forerunner of almost all manner of Wickedness.

I exhort you therefore to present all, that shall blaspheme, vilifie, and ridicule the Name, Nature, and Attributes of God, and all other Offences

9. W. III. against the Act of the Ninth  
Year of King *WILLIAM*  
the Third, *For the more effectual Sup-*  
*pressing of Blasphemy and Profaneness.*

You are also to take notice of all other Offences mentioned in His Majesty's Royal Proclamation just now read to you: Particularly all profane Swearing and Cursing, Drunkenness, and Breach of the Sabbath.

The horrid Oaths and Curses that abound in our Streets, are very shocking to Religious Foreigners, who come here; no such publick Profanation of *G O D*'s holy Name being known Abroad, even in Popish Countries. Besides, the Offending *G O D*, the Injuring our Souls, and Affronting sincere Christians (in an Age which pretends to good Breeding) by Treating that *G O D* with Indignity, whom they worship and adore, are Things of such a Nature, which are worthy of our Notice. The common Practice of pro-  
fane



fane Curfing and Swearing is exceedingly injurious to Civil Society ; for whilst Oaths are reckoned the greatest Securities of Government, if they are once render'd flight and common, it will by Degrees lessen Men's Awe and Regard for them on more solemn and necessary Occasions ; and when all Regard for the Obligation of Oaths are lost, there is an End of our Courts of Justice. We have no other Way to judge of Right or Wrong, Truth or Falshood, nor any Security left for our Lives and Properties, when the Reverence for this solemn Appeal to the All-seeing God is once extinguish'd in our Minds. So that upon Civil, as well as Religious Considerations, you ought to set your Faces against this Sin, and present all Constables, negligent or remiss in this Part of their Duty, in Taking up and Giving Information against Common Swearers.

Drunkenness is not only a Transgression of the Laws of God, and the  
 Law

Law of the Land, but a Violation of the Law of our Nature: It deprives Men of their Reason, and levels them with the Beasts. Presentment and Indictment in Sessions is one Method appointed by the Statute of the Fourth of King JAMES I. for the Punishment of Drunkenness.

4. Jac. I.  
Cap. 5.

It has been the Honour of our Government, that the Observation of the LORD'S Day has been more strictly enjoyn'd by our Laws, than any other Nation whatsoever; and it is Pity that such excellent Laws have not been better executed.

The Statute of the Twenty Ninth of King CHARLES II. for the better Observation of the LORD'S Day, requires all Persons to exercise themselves thereon in the Duties of Piety and true Religion, publicly and privately, and prohibits all bodily Labour, and worldly Business. And since this Law forbids Carriers and Waggoners to travel upon their honest  
and

and necessary Business on this Day, it surely cannot be supposed to allow any in the Profanation of it by Races, which some Persons have presumed to appoint to be run on Sundays. But His Majesty hath thought fit to discourage such Practices, and commanded the Justices of the Peace of this City and Liberty strictly to put in Execution all the Laws

against the Profanation of the LORD'S Day, and to the utmost of their Power

1. *Car. I.*

c. 1.

3. *Car. I.*

c. 2.

to discourage and punish any Breach of the Laws in this Behalf. His Majesty's Pleasure herein having lately been signified by a Letter from the Right Honourable the Lord *Townshend*, one of His Principal Secretaries of State, his Lordship's Letter shall be presently read in Court.

Since therefore His Majesty's pious Care for the Good of his People is so great, 'tis hop'd that so illustrious an Example will inspire you with a Zeal

to



1 *Eliz. c. 2.*23 *Eliz. c. 1.*3 *Jac. I. c. 4.*1 *W. & M.*

Sess. 1. c.

18.

to do your Duty, by Presenting all that shall make Default in coming to Church, or some Religious Meeting tolerated and allowed by Law, every Sunday: And all that shall spend their Time on that Day in any Sports or Games whatsoever, especially Gaming Assemblies.

The devout Observation of the LORD'S Day has hitherto, and ever will be, the most probable Means of preserving a Sense of, and keeping up a visible Face of Religion in the World; which (should these Races and other Diversions on this Day prevail) would soon be lost among us.

5 *Eliz. c. 9.* Enquire of all Perjury in Oaths judicially taken: All Subornation of Perjury and Forgery: And also of all Books and Pamphlets wrote against Religion, or the Sacred Scriptures; or that are *Contra bonos Mores.*

There

There are such Books published, daily sold in Shops, and advertised in the Publick News-Papers, that ought rather to pass the Fire than the Press; and are a Scandal to any Christian Country. If you can't find out these detestable Authors, present the Printers and Publishers.

All these in their Nature seem to be more immediate Offences against the Divine Majesty.

After the Duty we owe to Almighty God, with which nothing ought to come in Competition, the next Duty we owe is to our King and Country; and for the Preservation of these, I must recommend to you to enquire into all Treasons.

It is High Treason, To 25 Edw. III. c. 2. compass or imagine the Death of the King, or Queen, or the Death of their Eldest Son and Heir, and to declare the same by some Overt-Act.

It is also High Treason, To levy War against the King; adhere to his Enemies; or to give them Aid or  
D Com-

Comfort, in the Realm or elsewhere.

To Counterfeit his Great or Privy Seal ; To Counterfeit his Coin, or bring false into the Realm ; To kill the Lord Chancellor, Lord Treasurer, Justices in Eyre, of Assize, and Justices of Oyer and Terminer, being in their Places doing their Offices.

There are some other Species of High Treason, which because you'll have no Occasion to enquire into, I need not trouble you with the Particulars. I shall only put you in mind of that

*6 Annæ c.7.* Excellent Statute of the Sixth of the late Queen *ANNE*, whereby it is made High Treason to maintain by Writing, or Printing, That the Kings and Queens of this Realm, by the Authority of Parliament, are not able to make Laws of sufficient Force to bind and limit the Descent of the Crown ; or that the Pretender hath Right to the Crown ; or that any other Person hath Right to the same, otherwise than according to the Acts of Settlement. And if the Offender maintains the same by Words only, it is a Præmunire. And



And here, GENTLEMEN, I would observe to you, That by a former Act of Parliament, made in the Thirteenth Year of the Reign of Queen ELIZABETH, to assert and maintain, That the Queen and Parliament could not bind or limit the Descent of the Crown, was made High Treason during that Queen's Life. By this Law it appears, That the Patriarchal Scheme, and the Doctrines of indefeisible unalienable Hereditary Right are of mere modern Invention, and neither known nor believed by our Parliaments or Clergy in the Glorious Reign of Queen ELIZABETH. So that you see, the Title of his present Majesty King GEORGE is unquestionable, and most agreeable to our Antient Constitution and Laws.

13 *Eliz. c. 1.*  
Rast. 27.

3 Inst. 6, 10,  
12, 14.

*Coke's Instit.*  
4. part 36.

You are also to enquire of Misprision of Treason; which is barely a Concealing it, without Evidencing a Consent to it, for that is High Treason: By the Statute of the Fourteenth of Queen ELIZABETH, it is

14 *Eliz. c. 7.*

Misprision of Treason to Counterfeit any Foreign Coin not current here.

You are to present all Treasonable and Seditious Words, and Speeches, reflecting on His Majesty's Sacred Person and Government, for they are indictable at Common Law.

The Third and last Sort of Offences, that I shall recommend to your Enquiry, are those that concern your Fellow-Subjects. Of these some are Capital, and some are not Capital.

Of the Capital You are to present Petty Treason, which is an inferiour Degree of Treason, and is committed against a Subject, between whom and the Offender the Law presumes, there is a special Obedience and Subjection due: It is Petty Treason therefore, for a Servant to kill his Master, or Mistress, or Master's Wife, or a Wife her Husband, or an Ecclesiastical Man his Prelate.

You are to enquire of Burglary, which is a Breaking and Entering into a House by Night, with an Intent to com-

mit

mit some Felony, whether the felonious Intent be executed or not. By the Statute of the Eighteenth of Queen ELIZABETH, Clergy is taken away in all Burglaries.

18 *Eliz.*  
c. 7.

You are to present all Sorts of Felonies ; as Murders, Robbery on the Highway, Picking of Pockets ; but these common Thefts are so well known to you, that I shall not suspect your Knowledge and Understanding so much, as to think you stand in need of any Detail of them, or that I should define them to you.

Of Offences not Capital there are very great Numbers : I shall only mention some, that are most recent amongst us, and therefore likely to fall under your Cognizance and Enquiry.

You are to present Petty Larceny ; All Buyers and Receivers of stolen Goods, knowing them to be so ; all forcible Entries and Detainers of Lands and Tenements by Force. All Riots, Routs, and unlawful Assemblies. Affrays, Assaults,

5 *R. II. c. 7.*

8 *H. VI. c. 9.*

31 *Eliz. c.*

II.

21 *Jac. I.*

c. 15.

34 *Edw. III.*

c. 1. ]

Bat-



17 *Rich. II.* Batteries ; and in general,  
     *c. 8.*  
 13 *Hen. IV.* All Breaches of the Peace ;  
     *c. 7.*  
 19 *Hen. VII.* All that buy or sell by false  
     *c. 13.* Weights or Measures ; All  
 11 *Hen. VII.* that deceitfully get into their  
     *c. 4.* Hands other Men's Goods  
 22 *Car. II.* by false Tokens, Pretences,  
     *c. 8.* or Counterfeit Letters ; All  
 33 *H. VIII.* Forestallers, Regrators, and  
     *c. 1.* Ingrossers of Corn and other  
 5 & 6 *Edw.* Victuals ; All that shall sell  
     *VI. c. 14.* corrupt and unwholesome  
 17 *Edw. III.* Victuals ; All common Bar-  
     *c. 3.* retors, and Stirrers up of  
 51 *Hen. III.* Suits and Quarrels, either in  
     *Stat. 6. An.* Courts of Justice, or in  
     *Dom. 1266.* the Country amongst the  
 1 *Edw. III.* King's Subjects, who other-  
     *c. 14.* wise would be in Peace. By Presenting  
 20 *Edw. III.* some Barretors, you'll vindicate the  
     *c. 4.* Honour of our Laws, by Turning the  
 1 *Rich. II.* Edge of them, and the Eyes of your  
     *c. 4.* Country upon such Men, who so much  
 abuse the one, and are a Nufance to  
 the other : That Great Man, the Lord  
 Chief Justice HALE, us'd to say, that  
 it was of more Service to the Publick,  
 to

to convict one common Barretor, than ten Highwaymen: Present also all Keepers and Maintainers of Common Gaming Houses, which are indictable as Nufances at Common Law, as well as punishable by the Statute of the Thirty third of King 33 *H. VIII.*  
c. 7.  
HENRY the Eighth.

Present likewise all Common Gamesters, who draw in and ruin young Gentlemen of Estates, and others.

Enquire of all Bribery and Extortion in any Officers or Ministers of Justice, in taking Money where none is due, or more than is due, or before it is due, and particularly of the Extortion of Goalers. 12 *Rich. II.*  
c. 2.  
4 *Hen. IV.*  
c. 5.  
5 & 6 *Edw.*  
VI. c. 16.  
3 *Edw. I.*  
c. 26.

Present all Bawdy-Houses, and disorderly Houses; under which Denomination you ought to reckon those many Houses and Shops, where such Numbers of the lower Sort of People get drunk with Geneva, and other spirituous Liquors; a growing Evil, of more mischievous Consequence to the Publick, than can well be exprest.

And

And because our Excellent Laws are often render'd useleſs, through the Remiſneſs and Neglect of the inferiour Officers, who are to execute them,

Enquire, If any Conſtables omit to make Preſentments of any publick and notorious Offences in their reſpective Pariſhes or Wards; if they reſuſe or neglect to execute Warrants delivered to them; if they neglect Watch and Ward; or the Suppreſſing Vagrants; or if they wilfully neglect or omit any other Part of their Duty.

Preſent all Tradeſmen,  
2 & 3 Edw. VI. c. 15. Workmen, and Artificers,  
 that conſpire together not to ſell their Goods at, or to work, but at certain Rates and Prizes; and all ſuch as exerciſe Mechanical Trades, to which they have not been Apprentices Seven  
5 Eliz. c. 4. Years, according to the Act  
 of the Fifth of Queen  
 ELIZABETH.

Preſent all that ſhall contract with Artificers to go out of the Kingdom, contrary to an Act of the  
1 Geo. I. Firſt of the late King GEORGE.  
 You



You are to enquire of all Highways, and Bridges out of Repair, and who ought to repair them ; of all Cheats ; and of all publick Nufances : And here I hope you will not forget the very bad Condition of the Streets, and Pavements in many Parts of this City and Liberty, which gives great Offence to every Body, and is detrimental to the Health of the People ; and is occasion'd chiefly through the Neglects of the Scavengers and Rakers, and partly by the Remifness and Carelefsness of the Servants and Agents of feveral Companies of Water-Works, who, when they have broke up the Ground, to put in or mend their Pipes, lay down the Pavements again in those Places in a very loose, irregular, and unworkmanlike Manner.

These, GENTLEMEN, are all Matters very proper for your Enquiry, and the Court doth not doubt of your Care therein ; but there is one Thing more, which I must at this Time particularly recommend to you, and that is, to  
E present

present the Authors, Printers, and Publishers of all Libels.

It is a Shame to our Nation, that there should be any Persons belonging to it so little sensible of the Happiness which we enjoy, as to libel and disturb such a King, and such an Administration; yet this Offence is now grown so common, that if a Man goes into a Coffee-House, it is uncertain whether he lays his Hands upon a News-Paper, or a Libel.

I would not have any imagine, that there must be exprefs Words of Scandal, and Persons Names at length, to make a Libeller Criminal; if our Laws require this, they are very weak; and it would be strange, that all Mankind must understand a Libeller's Meaning, except the Court and the Jury, who are to try him.

Indirect or Oblique Scandal hath in all Times (especially since the Abolition of the Court of Star-Chamber) been prosecuted, and the Offenders convicted and punished in the ordinary Courts of Justice;

16 Car. I.  
c. 10.

flice; and if it were otherwise, the  
 fubtle or cunning Contrivance, which  
 aggravates the Crime, would prevent  
 the Punifhment. And therefore it is,  
 that Ironical Scandal, nay, even Dumb  
 Scandal, (Scandal by Pic-  
 tures or by Signs) as is Coke's 5th  
Report.  
 mentioned in the Cafe *de*  
*Libellis famofis*, in my Lord COKE'S  
 Fifth Report, is indictable in this Court.  
 The only Caution neceffary in thefe  
 Cafes is, that the Interpretation be not  
 forc'd or ftrain'd.

I fhall conclude with Putting you in  
 Mind of that Part of your Oath, which  
 obliges you to Prefent all fuch Matters  
 and Things, as come to your Knowledge  
 touching this prefent Service, as well  
 as fuch Offences, that fhall be given you  
 in Charge. You are, or ought to be  
 fummoned from the feveral Quarters of  
 this populous City and Liberty, to the  
 Intent that no Offences in your refpec-  
 tive Parifhes, or Streets, or probably  
 throughout the whole Liberty, may  
 efcape the Knowledge of one or other  
 of you. In Finding only fuch Bills, that  
 are



are brought before you by private Prosecutors, you'll do but one Part of your Duty, which a Jury return'd out of one Parish or Street might do as well. But if you'll have a due Regard to your Oaths, you must present all notorious and publick Offences in your respective Neighbourhoods; which, if Grand Juries would every where do, would tend much to reform the vicious Part of Mankind.

GENTLEMEN,

Your Office is as Antient as our Laws, and (as you have heard) the great Bulwark of our Liberties. And it is with Pleasure, I see this great and important Trust now reposed in Persons of your Credit and Reputation, Knowledge and Experience; who, I doubt not, will perform every Part of your Duty, and acquit your selves like such, as have a strict Regard to Justice, and the Proceedings and Authority of this Court.

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